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AS

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/171,735	12/04/98	SCHONBECK	J 3245-628PCT

IM62/0803
COHEN PONTANI LIEBERMAN & PAVANE
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NEW YORK NY 10176

EXAMINER

COY, N

ART UNIT	PAPER NUMBER
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1742

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DATE MAILED: 08/03/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/171,735	Applicant(s) SCHONBECK ET AL.	
	Examiner Nicole Coy	Art Unit 1742	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Priority for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2000.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-8 and 10-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-8, 10-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) _____.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- | | |
|---|--|
| 15) <input type="checkbox"/> Notice of References Cited (PTO-892) | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 20) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's arguments filed June 29, 2000 have been fully considered but they are not persuasive. Applicant states that Maebara fails to teach or suggest coiling the continuous intermediate strip to form an intermediate coil or severing the finished strip into sections having a desired finished coiled weight after said step of rolling the continuous intermediate strip through the second deformation stage. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to cut specific lengths at the end of the process in order to arrive at usable lengths of steel strips.

2. Applicant further states that Maebara fails to teach or suggest the step of coiling an intermediate coil weight comprising at least 40 tons. However, it would have been obvious to one having ordinary skill at the time the invention was made to coil 40 tons in order to provide a large homogeneous mass of material to cut sections from.

3. The rejections under U.S.C. 112 have been withdrawn due to the amendments filed on June 29, 2000.

Claim Rejections - 35 USC § 103

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4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6-8 and 10-13 are rejected under 35 U.S.C. as being unpatentable over Maebara et al.

Maebara et al. discloses the invention substantially as claimed. Maebara et al. discloses a direct rolling method for continuously cast slabs and apparatus thereof.

Maebara et al. discloses:

(1) A direct rolling method for a continuously cast slab of steel comprising:

carrying out preliminary rolling of a continuously cast steel slab

hot rolling the slab after preliminary rolling

(2) A method as set forth in (1) mentioned above further comprising coiling the

slab after preliminary rolling using a coiler and uncoiling the slab prior to the hot rolling (Col. 3, lines 50, 65).

Furthermore, Fig 3 is a schematic plan view of a production line employing a direct rolling apparatus according to the present invention (Col. 4, lines 63-65). In Fig. 3, Maebara et al. discloses a final coiling step, which would produce a plurality of finished coils from the finished strip.

Maebara et al. further discloses a direct rolling apparatus with a variable speed motor (Col. 4, lines 16-17).

Maebara et al. further discloses that if desired a mandrel may be inserted into the coil during coiling (Col. 13, lines 55-57).

However, Maebara et al. does not disclose the changing of the metallurgical characteristics and the geometrical characteristics. Maebara et al. is silent as to the metallurgical and geometrical characteristics.

It is common knowledge in the prior art that between the rolling and coiling steps the temperature changes which causes metallurgical and geometrical characteristics to change.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to change the metallurgical characteristics by changing a temperature prior to coiling.

Furthermore, Maebara et al. does not disclose severing the strip after the step of rolling through the second deformation stage. Maebara et al. is silent as to if severing occurs after this final rolling stage.

It is common knowledge in the prior art to cut specific lengths of a finished steel strip in the same field of endeavor for the purpose of arriving at usable lengths of material.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to severe the strip after the final rolling step in order to produce usable lengths of materials.

In addition, Maebara et al. does not disclose coiling a continuous strip of steel with a weight of 40 tons. Maebara et al. is silent as to the weight of his coiled strips.

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It is common knowledge in the prior art to coil a specific weight of steel in the same field of endeavor for the purpose of obtaining a large homogenous mass of material to cut sections from.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to select an intermediate coil weight of 40 tons in order to provide a large homogenous mass of material to cut sections from.

Conclusion

6. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicole Coy whose telephone number is (703)308-3860. The examiner can normally be reached on Monday-Friday 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on (703)308-1146. The fax phone numbers for the organization where this application or proceeding is assigned are (703)305-3599 for regular communications and (703)305-7719 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0651.



nac
August 2, 2000



Daniel J. Jenkins
Primary Examiner